

Town of Leeds

Agenda Town of Leeds Planning Commission Wednesday, September 2, 2015

PUBLIC NOTICE is hereby given that the Town of Leeds Planning Commission will hold a **PUBLIC MEETING** on Wednesday, September 2, 2015 at 7:00 P.M. The Planning Commission will meet in the Leeds Town Hall located at 218 N Main, Leeds, Utah.

Regular Meeting 7:00 p.m.

1. Call to Order/Roll Call
2. Invocation
3. Pledge of Allegiance
4. Declaration of Abstentions or Conflicts
5. Consent Agenda:
 - a. Tonight's Agenda
 - b. Meeting minutes from July 1, 2015.
6. Announcements:
 - a. Planning Commissioner Oath of Office for Danny Swenson
7. Public Hearings:
 - a. Zone Change for Parcel L-3-B-1 for William Rainey and Linda Rowley from Commercial (C) to Rural Residential (R-R-1)
8. Action Items:
 - a. Zone Change for Parcel L-3-B-1 for William Rainey and Linda Rowley from Commercial (C) to Rural Residential (R-R-1)
 - b. Lot Line Adjustment on parcels L-66-A, Comas and L-3-1-7-2411, Peine
9. Discussion Items:
10. Staff Reports
11. Adjournment

The Town of Leeds will make reasonable accommodations for persons needing assistance to participate in this public meeting. Persons requesting assistance are asked to call the Leeds Town Hall at 879-2947 at *least* 24 hours prior to the meeting.

The Town of Leeds is an equal opportunity provider and employer.

Certificate of Posting:

The undersigned Deputy Clerk/Recorder does hereby certify that the above notice was posted August 31, 2015 at these public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmmutah.gov> and the Town of Leeds website www.leadstown.org



Kristi Barker, Deputy Clerk/Recorder

Town of Leeds

Planning Commission Meeting for July 1, 2015

1. Call to order:

Chairman Peters called to order the regular meeting of the Planning Commission at 7:05pm on July 1, 2015, at Leeds Town Hall, 218 N Main.

ROLL CALL:

	<u>Present</u>	<u>Absent</u>
CHAIRMAN: NORM PETERS	<u>x</u>	<u> </u>
COMMISSIONER: ELLIOTT SHELTMAN	<u>x</u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u>x</u>	<u> </u>
COMMISSIONER: JOHN POAST	<u>x</u>	<u> </u>
COMMISSIONER: STEVE LEWIS	<u>x</u>	<u> </u>

2. Invocation by Commissioner Nelson.

3. Pledge of Allegiance by Commissioner Lewis.

4. Declaration of Abstentions or Conflicts: None.

5. Approval of Agenda:

Chairman Peters, on tonight's agenda, we have a slight alteration, Bob Nicholson will not be coming out; therefor, the Leeds General Plan will be taken off under discussion item. The Planning Commission Oath of Offices has already been completed prior to the meeting, so that has already been taken care of under the announcements.

Commissioner Sheltman moved to approve meeting minutes of June 3, 2015 as noted. All voted.
Motion Passed.

ROLL CALL VOTE:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
CHAIRMAN: NORM PETERS	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: ELLIOTT SHELTMAN	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: DARRELL NELSON	<u>x</u>	<u> </u>	<u> </u>	<u> </u>
COMMISSIONER: JOHN POAST	<u> </u>	<u> </u>	<u>x</u>	<u> </u>
COMMISSIONER: STEVE LEWIS	<u> </u>	<u> </u>	<u>x</u>	<u> </u>

Commissioner Nelson moved to approve tonight's agenda and meeting minutes of June 3, 2015.
2nd by Commissioner Lewis. All voted "Aye". Motion Passed.

6. Announcements:

- a. Planning Commissioner Oath of Office for John Poast and Elliott Sheltman.

Item completed prior to the meeting.

7. Public Hearings: None.

8. Action Items:

- a. Election of Chair and Chair Pro-Tem per Land Use Ordinance, Chapter 2, Section 2.6

Commissioner Nelson nominated Norm Peters for the Chair.

Commissioner Lewis asked Commissioner Sheltman if he had any desire to be Chair.
Commissioner Sheltman indicated not at this time; however, offered to be the Chair Pro-Tem.

2nd by Commissioner Poast. All voted "Aye". Motion Passed.

9. Discussion Items:

- a. Leeds General Plan
Item cancelled.

10. Staff Reports:

Commissioner Lewis, I met with Rick Sant today and pretty soon we will be seeing Phase II on Silver Pointe Estates.
Commissioners and Kristi Barker the Deputy Clerk/Recorder discussed Silver Pointe Estates road accesses.

11. Adjournment:

Commissioner Nelson adjourned the meeting.
Time: 7:16pm.

APPROVED ON THIS _____ DAY OF _____, 2015

Norm Peters, Chair

ATTEST:

Kristi Barker, Deputy Clerk/Recorder



TOWN OF LEEDS

Planning Commission Meeting

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will occur at the
Planning Commission Meeting on
Wednesday, September 2, 2015 at 7:00 p.m.
At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

The Leeds Planning Commission will hold a public hearing on the above-mentioned date to consider the following proposed items:

- A. Zone Change for Parcel L-3-B-1 for William Rainey and Linda Rowley from Commercial (C) to Rural Residential (R-R-1)

Copies of the proposed Zone Change Plat will be available for review at the Leeds Town Hall during regular business hours (9:00 a.m. to 4:00 p.m. Monday – Thursday)

Interested persons are encouraged to attend the public hearing to be held in the Leeds Town Hall at 218 North Main Street, or present their views in writing to the Leeds Town Clerk/Recorder prior to the meeting.

Certificate of Posting

The undersigned Deputy Clerk/Recorder does hereby certify that the above notice was posted August 18, 2015. The public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, also published in the Spectrum Newspaper.

Kristi Barker
Deputy Clerk/Recorder

Town of Leeds
**LOT LINE (BOUNDARY) ADJUSTMENT -
APPLICATION**

1. Applicant / Owner Name: Brett Y. & Tracy C. Comas
Address, City, State, Zip: 125 E Cherry Ln, Leeds, UT 84746-0697
Phone: 435-680-2907 E-mail: tcomas@washingtontcity.org
Project Location: 125 E Cherry Lane (rear property line)
Existing Zone: R-R-1 Lot Number: na Tax Parcel ID Number: L-66-A

2. Applicant / Owner Name: Phillip S. & Laurel Peine
Address, City, State, Zip: PO Box 460757, Leeds, UT 84746-0757
Phone: 435-879-2933 E-mail: _____
Project Location: 125 E Cherry Lane (rear property line)
Existing Zone: R-R-1 Lot Number: na Tax Parcel ID Number: L-3-1-7-2411

Subdivision, if any: none

Engineer Firm and Contact Name: R & B Surveying
Address, City, State, Zip: 257 Prickley Pear Dr, Washington, UT 84780
Phone: 435-673-2918 Fax _____ E-mail: rbsurveying@awinets.com

Please include with the application:

- \$200.00 filing fee - non-refundable
- Stamped envelope filled out for all adjacent property owners.
- Two copies: 24" x 36" of the plat drawing showing existing lots and proposed boundary adjustments. These must each include the legal descriptions with details of the adjustment for the parcels involved, placement of hydrants, utility pedestals, water and septic services and existing structures.
- Four copies each:
 - 11" x 17" of the plat drawing
 - Title Report dated within two weeks from the date of Planning Review Meeting
 - The legal description of existing property Boundary Lines
 - The legal description of proposed adjustment to property Boundary Lines

File completed application with the Town of Leeds, 218 N. Main St, Leeds, UT, 84746 or deliver to Leeds Clerk/Recorder at Town Hall, hours 9:00 a.m. – 4:00 p.m. Mon - Thu; closed on Fri.

Signature of Owner 1 Brett Y. Comas Date 8-18-15
Signature of Owner 2 Laurel Peine Date 8/18/15



TOWN OF LEEDS

218 NORTH MAIN STREET
PO BOX 460879
LEEDS, UT 84746-0879
PHONE: 435-879-2447 FAX: 435-879-6905
E-mail: clerk@leedstown.org // Website: www.leedstown.org

FILING FEE: \$200.00

Non-refundable

Received by WB

Filing Date 8-20-15

LOT LINE (BOUNDARY) ADJUSTMENT INSTRUCTIONS

Lot Line (or Boundary Line) Adjustments between adjacent properties may be executed upon the recordation of an appropriate deed(s) IF:

- no new dwelling lot or housing unit results from the lot line adjustment
 - the adjoining property owners consent to the lot line adjustment
 - the lot line adjustment does not result in remnant land that did not previously exist
- AND
- the adjustment does not result in violation of applicable zoning requirements.

Each lot line adjustment request is limited to the adjustment of property line boundaries between only two adjacent properties. Additional properties require separate lot line adjustment requests.

Obtain the Lot Line Application Form from the Leeds Town Clerk/Recorder at Town Hall.

Obtain a Preliminary Title Report from Washington County that lists all property owners of the subject parcels, no longer than 60 days or up to 120 days, provided the report is updated and acknowledged by title company.

Draw up the appropriate deeds, legal descriptions and exhibits including the Existing and Proposed Lot Boundaries that reflect the proposed lot line adjustment.

Note:

The deeds are NOT to be recorded until the Town or Engineer executes an approval stamp on each document.

If any new easements are required along the proposed boundary between the two properties, the required procedures for dedicating easements shall be followed and the new easements shall be recorded prior to lot line adjustment approval.

If any existing easements are proposed to be vacated because they will be affected by the proposed lot line agreement, the required procedures for vacating easements shall be followed and an additional fee may be required. The property owners may elect to leave the existing easements along the proposed boundary.

Submit a completed application, a stamped envelope filled out for all adjacent property owners, the required fee, Preliminary Title Report, the appropriate deeds, legal descriptions and exhibits to the Leeds Town/Clerk Recorder, attention to Planning/Engineering.

Upon approval of the lot line adjustment, the appropriate deeds may be recorded in the County Recorder's Office by arrangement of the property owners or their representatives.

LOCATION:
SE & SW 1/4 SECTION 7, T41S, R13W, S18E4M
COMPLETED:
AUGUST 11, 2015
REQUESTED BY:
BRETT & TRACY GOMAS

ACQUISITION PARCEL(PEINE TO COMAS):

BEGINNING AT A POINT N0°06'13"W, 1937.40 FEET ALONG THE CENTER SECTION LINE FROM THE SOUTH 1/4 CORNER OF SECTION 7, T41S, R13W, SLB&M, SAID POINT BEING ON THE WEST BOUNDARY OF PROPERTY DESCRIBED IN DOCUMENT NO. 200150008052 AND BEING THE CORNER OF PROPERTY DESCRIBED IN DOCUMENT NO. 692382 AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, RUNNING THENCE ALONG THE COMMON BOUNDARY OF SAID PROPERTIES THE FOLLOWING TWO (2) COURSES: N0°06'13"W, 105.07 FEET; THENCE N41°59'41"E, 306.51' (306.49' DOC. NO. 692382); THENCE LEAVING SAID COMMON BOUNDARY AND RUNNING S31°36'44"W, 390.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.248 ACRE.

WHEN RECORDED MAIL TO:
Brett Y. Comas
PO Box 460697
Leeds, UT 84746

WARRANTY DEED

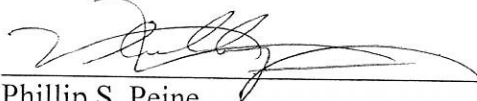
Parcel# L-3-1-7-2411

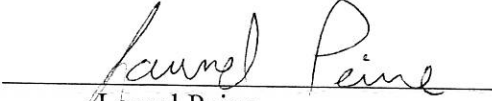
That **Phillip S. & Laurel Peine**, of the State of Utah Grantor herein, in consideration of the sum of Ten (\$10) Dollars and other good and valuable consideration paid to Grantor by **Brett Y & Tracy C Comas**, a married couple of the State of Utah, Grantee herein, receipt of which is hereby acknowledged, does hereby grant, release, convey and warrant to Grantee, its successors and assigns forever, free and clear of all encumbrances, all its rights, title and interest in and to the following tract of land located in the County of Washington, State of Utah:

BEGINNING AT A POINT N0°06'13"W, 1937.40 FEET ALONG THE CENTER SECTION LINE FROM THE SOUTH 1/4 CORNER OF SECTION 7, T41S, R13W, SLB&M, SAID POINT BEING ON THE WEST BOUNDARY OF PROPERTY DESCRIBED IN DOCUMENT NO. 200150008052 AND BEING THE CORNER OF PROPERTY DESCRIBED IN DOCUMENT NO. 692382 AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, RUNNING THENCE ALONG THE COMMON BOUNDARY OF SAID PROPERTIES THE FOLLOWING TWO (2) COURSES: N0°06'13"W, 105.07 FEET; THENCE N41°59'41"E, 306.51' (306.49' DOC. NO. 692382); THENCE LEAVING SAID COMMON BOUNDARY AND RUNNING S31°36'44"W, 390.87 FEET TO THE POINT OF BEGINNING.

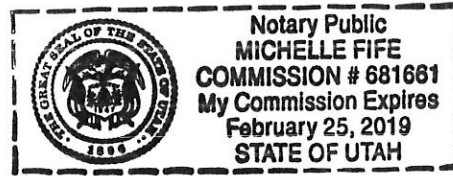
CONTAINING 0.248 ACRE.

WITNESS the hand of said grantor, this 20 day of August, 2015.

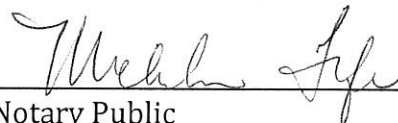

Phillip S. Peine


Laurel Peine

STATE OF UTAH)
)
COUNTY OF ^{IRON} WASHINGTON) :SS



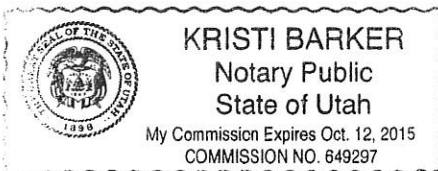
On the 18th day of August, 2015, personally appeared before me **Phillip S. Peine** personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed the foregoing document and acknowledged before me that he/she signed it voluntarily for its stated purpose.

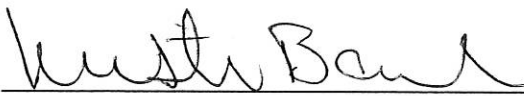


Notary Public

STATE OF UTAH)
)
COUNTY OF WASHINGTON) :SS

On the 00 day of August, 2015, personally appeared before me **Laurel Peine** personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is signed the foregoing document and acknowledged before me that he/she signed it voluntarily for its stated purpose.





Notary Public



TOWN OF LEEDS

218 NORTH MAIN STREET
PO BOX 460879
LEEDS, UT 84746-0879
PHONE: 435-879-2447 FAX: 435-879-6905
E-mail: deputyclerk@leedstown.org // Website: www.leedstown.org

8-20-2015

Dear property owner,

This letter is in regards to a lot line adjustment your neighbors are seeking. Brett & Tracy Comas, located at 125 E Cherry Lane are seeking to purchase 0.248 Acre of Peine property located at the rear of Comas property line. In order for the application to take effect, the adjoining property owners will have to consent to the lot line adjustment(s) as per Ordinance 21.14.7.2. Please indicate below if you approve or deny the request.

Thank You,

Kristi Barker
Deputy Clerk/Recorder

Approved ☒

Denied ☐

Print Name Phillip Peine Signature [Signature]

Print Name Laura Peine Signature [Signature]



TOWN OF LEEDS

218 NORTH MAIN STREET
PO BOX 460879
LEEDS, UT 84746-0879
PHONE: 435-879-2447 FAX: 435-879-6905
E-mail: deputyclerk@leedstown.org // Website: www.leedstown.org


8-20-2015

Dear property owner,

This letter is in regards to a lot line adjustment your neighbors are seeking. Brett & Tracy Comas, located at 125 E Cherry Lane are seeking to purchase 0.248 Acre of Peine property located at the rear of Comas property line. In order for the application to take effect, the adjoining property owners will have to consent to the lot line adjustment(s) as per Ordinance 21.14.7.2. Please indicate below if you approve or deny the request.

Thank You,

Kristi Barker
Deputy Clerk/Recorder

Approved 

Denied _____

Print Name ALICE BLAKE Signature L1112

Print Name _____ Signature _____

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

File No.: 143756

1. **Effective Date:** August 11, 2015 at 8:00 AM

2. **Policy or Policies to be issued:**

Amount of Insurance

(a) A.L.T.A. Owner's Policy 2006 (Standard)

Amount:
Premium:

Proposed Insured:

Brett Y. Comas and Tracy C. Comas

(b) A.L.T.A. Loan Policy 2006 (Extended)

Amount:
Premium:

Proposed Insured:

3. **The estate or interest in the land described or referred to in this Commitment is:**

Fee Simple

4. **Title to the said estate or interest in said land is at the Effective Date vested in:**

Phillip S. Peine and Laurel Peine, Husband and Wife, as Joint Tenants

5. **The land referred to in this Commitment is described as follows:**

BEGINNING AT A POINT NORTH 0° 06' 13" WEST, 1937.40 FEET ALONG THE CENTER SECTION LINE FROM THE SOUTH 1/4 CORNER OF SECTION 7, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN, SAID POINT BEING ON THE WEST BOUNDARY OF PROPERTY DESCRIBED IN DOCUMENT NO. 200150008052 AND BEING THE CORNER OF PROPERTY DESCRIBED IN DOCUMENT NO. 692382 AS FILED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, RUNNING THENCE ALONG THE COMMON BOUNDARY OF SAID PROPERTIES THE FOLLOWING TWO (2) COURSES: NORTH 0° 06' 13" WEST, 105.07 FEET; THENCE NORTH 41° 59' 41" EAST, 306.51' (306.49' DOC. NO. 692382); THENCE LEAVING SAID COMMON BOUNDARY AND RUNNING SOUTH 31° 36' 44" WEST 390.87 FEET TO THE POINT OF BEGINNING.

For information purposes only, the property address is purported to be:
Not Yet Assigned, Leeds, UT 84746

Old Republic National Title Insurance Company



COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

Old Republic National Title Insurance Company

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File No. 143756
UT ALTA Commitment Sch A MV1

Page 2 of 2



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART I

File No. 143756

The following are the requirements to be complied with:

1. Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
2. Pay us the premiums, fees and charges for the policy.
3. Documents satisfactory to us creating the interest in the land/or the mortgage to be insured must be signed, delivered and recorded.
4. You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
5. Payment to or for the account of the grantors or mortgagors or the full consideration for the estate or interest to be insured.
6. Proper instrument(s) creating the estate or interest to be insured executed and duly filed for record, to-wit:

Old Republic National Title Insurance Company



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No. 143756

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Water rights, claims to water or water rights, whether or not shown in the public records.
3. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessment on real property or by the public records.
4. Any facts, rights, interest, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession, or claiming to be in possession, thereof.
5. Easements, liens encumbrances, or claims of easements, liens or encumbrances which are not shown by the public records.
6. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
7. Taxes for the year 2014 have been paid in the amount of \$111.50 under tax ID L-3-1-7-241012. Taxes for the year 2015 are estimated in the amount of \$577.75 under tax ID L-3-1-7-241012 but not yet due or payable.
SERIAL NUMBER: L-3-1-7-2411

Lien arising as of 12 o'clock noon of January 1 for any unpaid personal property taxes which may be listed against the property described herein

8. County Library Fund, Water Conservancy District, Local Assessments, Multi-County Assessments, Local School Fund, State School Fund, County General Fund, Mosquito Abatement, County Go Bond, Leeds Town and Leeds Area Fire District,
9. Minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not appearing in the Public Records or listed in Schedule B. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed
10. Subject to all existing roads, streets, alleys, ditches, reservoirs, utilities, canals, pipe lines, power, telephone, sewer, gas or water lines, and right of way and easements thereof.
11. RIGHT OF WAY AND EASEMENT GRANT
Grantor: THOMAS STIRLING AND HARRIET STIRLING
Grantee: DIXIE POWER COMPANY, A UTAH CORPORATION
Purpose: RIGHT OF WAY TO ERECT AND MAINTAIN TELEPHONE AND ELECTRIC LIGHT AND POWER TRANSMISSION WIRES AND POLES WITH NECESSARY FIXTURES TO SUPPORT SAID WIRES IN AND UPON THE GROUND,
Dated: OCTOBER 17, 1927
Recorded: OCTOBER 17, 1927

Old Republic National Title Insurance Company



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No. 143756

Book: S Page: 849

12. EASEMENT TO USE DISTRIBUTION SYSTEM

Grantor: LEEDS DOMESTIC WATERUSERS ASSOCIATION, A CORPORATION OF THE COUNTY OF WASHINGTON

Grantee: STATE OF UTAH ACTING THROUGH THE BOARD OF WATER RESOURCES

Purpose: FOR THE CONSTRUCTION OF A CULINARY WATER STORAGE TANK, PIPELINE AND APPURTENANCE WORKS; AN EASEMENT TO USE THE EXISTING WATER DISTRIBUTION SYSTEM OF CANALS AND DITCHES AND ALL APPURTENANT WORKS AND FACILITIES OF THE LEEDS DOMESTIC WATERUSERS ASSOCIATION

Dated: MARCH 12, 1979

Recorded: JUNE 7, 1979

Entry Number: 205503

Book: 254 Page: 148

13. EASEMENT TO USE DISTRIBUTION SYSTEM

Grantor: ASH CREEK IRRIGATION COMPANY

Grantee: STATE OF UTAH

Purpose: AN EASEMENT TO USE THE EXISTING WATER DISTRIBUTION SYSTEM OF CANALS, DITCHES, PIPELINES AND ALL APPURTENANT WORKS AND FACILITIES OF THE ASH CREEK IRRIGATION COMPANY

Dated: JUNE 12, 1987

Recorded: SEPTEMBER 17, 1987

Entry Number: 320911

Book: 464 Page: 110

14. PATENT

Dated: SEPTEMBER 5, 1893

Purpose: SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING AND OTHER PURPOSES.

Recorded: SEPTEMBER 6, 1893

Entry Number: S-560

15. AGREEMENT

Dated: MARCH 30, 1976

By and Between: STATE OF UTAH AND LEEDS DOMESTIC WATERUSERS ASSOCIATION

Recorded: JUNE 7, 1979

Entry Number: 205501

Book: 254 Page: 143

16. AGREEMENT

Dated: JULY 11, 1994

By and Between: STATE OF UTAH AND THE ANGELL SPRINGS SPECIAL SERVICE DISTRICT, A SPECIAL SERVICE DISTRICT ORGANIZED UNDER THE LAWS OF THE STATE OF UTAH, FORMERLY HIDDEN VALLEY WATER USERS ASSOCIATION

Recorded: DECEMBER 8, 1994

Entry Number: 486326

Book: 870 Page: 708

Old Republic National Title Insurance Company



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No. 143756

AMENDMENT TO AGREEMENT

Dated: APRIL 24, 1996

By and Between: STATE OF UTAH AND ANGELL SPRINGS SPECIAL SERVICE DISTRICT

Recorded: JULY 15, 1996

Entry Number: 00538260

17. ROADWAY DEDICATION

Name: BABYLON ROAD EXTENSION STREET

Recorded: DECEMBER 4, 1998

Entry Number: 00627453

Book: 1287 Page: 685

18. SCRIVENER'S AFFIDAVIT

Dated: MARCH 17, 2015

Recorded: MARCH 18, 2015

Entry Number: 20150008723

19. APPLICATION FOR ASSESSMENT AND TAXATION OF AGRICULTURAL LAND 1969 FARMLAND ASSESSMENT ACT

Recorded: JUNE 23, 2015

Entry Number: 20150021570

20. NOTE: NO EXISTING DEED OF TRUST APPEARS OF RECORD. IF THIS INFORMATION IS NOT CORRECT, PLEASE NOTIFY THE COMPANY AS SOON AS POSSIBLE TO PROVIDE INFORMATION REGARDING THE EXISTING LOAN.

21. JUDGMENTS WERE CHECKED AGAINST THE FOLLOWING NAMES AND NONE WERE FOUND TO BE OF RECORD:

PHILLIP S. PEINE

LAUREL PEINE

22. A 24 month vesting chain of title has been done and the following items were found of record.

Document Type: QUIT CLAIM DEED

By and Between: HARRIET AND WILLIAM LEIGH RASBAND TRUST TO EDWARDS H. AND IDONNA E. SNOW TRUST

Recorded: MARCH 13, 20105

Entry Number: 20150008051

Document Type: WARRANTY DEED

By and Between: EDWARD H. SNOW AND IDONNA E. SNOW, TRUSTEES OF THE EDWARD H. SNOW AND IDONNA E. SNOW FAMILY TRUST AGREEMENT, DATED NOVEMBER 27, 1989, AMENDED AND RESTATED FEBRUARY 19, 1999 TO PHILLIP S. PEINE AND LAUREL PEINE

Recorded: MARCH 13, 2015

Entry Number: 20150008052

23. NOTICE TO APPLICANT: THE LAND HEREIN MAY BE SERVICED BY CITIES, IMPROVEMENT DISTRICTS, OR UTILITY COMPANIES THAT PROVIDED MUNICIPAL TYPE SERVICES FOR WATER, SEWER,

Old Republic National Title Insurance Company



COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II

File No. 143756

ELECTRICITY OR OTHER SERVICES THAT DO NOT RESULT IN A LIEN, BUT FOR WHICH SERVICES MAY BE TERMINATED IN THE EVENT OF NON-PAYMENT OF SERVICE CHARGES TO DATE OR TRANSFER FEES. ALTHOUGH THE COMPANY ASSUMES NO LIABILITY THEREFORE, YOU ARE URGED TO MAKE INVESTIGATION INTO SUCH MATTERS.

24. NOTE: ANY MATTER IN DISPUTE BETWEEN YOU AND THE COMPANY MAY BE SUBJECT TO ARBITRATION AS AN ALTERNATIVE TO COURT ACTION. YOU MAY REVIEW A COPY OF THE ARBITRATION RULES AT <http://www.alta.org>. ANY DECISION REACHED BY ARBITRATION SHALL BE BINDING UPON BOTH YOU AND THE COMPANY. THE ARBITRATION AWARD MAY INCLUDE ATTORNEY'S FEES IF ALLOWED BY STATE LAW AND MAY BE ENTERED AS A JUDGMENT IN ANY COURT OF PROPER JURISDICTION.

END OF SCHEDULE B II

Old Republic National Title Insurance Company



Mountain View Title and Escrow Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Mountain View Title and Escrow.

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you, such as on applications or other forms.
- Information about your transactions we secure from our files, or from our affiliates or others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

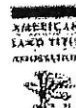
We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Rev. 08/28/01



[illegible]

SEE ACCOMPANYING SHEET
NE 1/4 SECTION 7, T41S R13W



FILING FEE: \$1,000.00 50.00
NON-REFUNDABLE Per Mayor
Date _____ Received by _____

Town of Leeds

218 North Main Street, PO Box 460879, Leeds, UT 84746-0879
Phone: 435-879-2447 Fax: 435-879-6905
E-mail: clerk@leedstown.org // Website: www.leedstown.org

ZONE CHANGE/AMENDMENT APPLICATION

Project Name RESIDENCE FOR WILLIAM RAINEY & LINDA ROWLEY
Number of Lots Proposed 1 Acreage 1.18
Project Location Parcel Tax ID #(s) 730 N. MAIN L-3-B-1

Applicant Name WILLIAM RAINEY & LINDA ROWLEY
Address P.O. Box 461282 LEEDS, UT.
Phone 705-3716 Fax _____ Cell 702-755-1594 e-mail _____

Owner of Property WILLIAM RAINEY & LINDA ROWLEY
Address 730 N. MAIN LEEDS
Phone _____ Fax _____ Cell _____ e-mail _____

Contact Person of those listed above WILLIAM OR LINDA

EXISTING ZONING C ZONE CHANGE(S) REQUESTED R-R-1 ACREAGE 1.18

Refer to Town of Leeds Zonings:

R-R-5.....Rural Residential 5 acre	R-1-5.....Residential 5 acre	R-M-7.....Multiple Residential
R-R-2.....Rural Residential 2 acre	R-1-2.....Residential 2 acre	C.....Commercial
R-R-1.....Rural Residential 1 acre	R-1-1.....Residential 1 acre	OS.....Open Space
R-R-20.....Rural Residential 1/2 acre	R-1-20.....Residential 1/2 acre	M-H.....Mobile Home
	R-1-10.....Residential 1/4 acre	

Attach complete legal description for the property/area requested. to be changed and provide all of the following information:

- Two sets of mailing labels for all property owners within a 300-foot radius from the border of the subject property. Maps & Names of Property Owners are available from Washington County Recorder's Office, 87 North 200 East, St. George, Utah 84770, ph. (435) 634-5709.
- Written justification describing the purpose for the zone change request and proof of concurrence with Town of Leeds General Plan.
- Required Building Plans as per Land Use and Zoning Ordinance #2008-04, including all tests, exhibits and studies.
- A copy of the requested legal description in a read-only CD/electronic format and e-mailed to clerk@leedstown.org
- A copy of the legal description provided in Microsoft Word Format on a read-only CD and e-mailed to clerk@leedstown.org.
- One 24" x 36" plat site exhibit of the requested zone change and 16 copies 8.5" x 11" or 11" x 17" all matching the legal description.
- One 24" x 36" site exhibit of the County Ownership Plat(s) identifying the existing parcel(s) included in the legal description.

Town of Leeds

**ZONE CHANGE/AMENDMENT
APPLICATION**


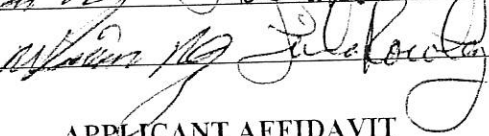
The following fees are due at the time of application. Incomplete applications will be returned. No exceptions.

1. Filing Fee (non-refundable): \$1,000.00
2. Addresses labels, envelopes, stamps and other associated mailing expenses are to be provided by Applicant.
3. Acreage Fees -
 - a. Less than 1 acre: No Fee
 - b. One – 100 acres: \$50.00 per acre
 - c. 101 – 500 acres: \$25.00 per acre
 - d. Over 500 acres: \$10.00 per acre

Note: For acreage designated as open space, no acreage fee assessed if open space is over 10 acres. Open space includes parks, golf courses, floodplains, hillsides and similar natural areas. This does not include required recreation areas and/or setback areas.

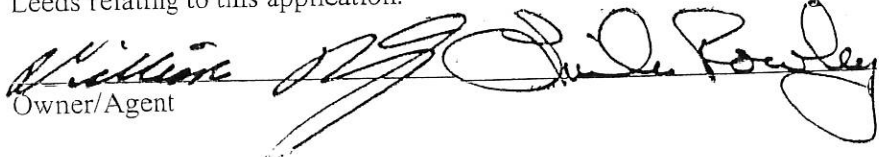
File the completed application at:

Town of Leeds
P.O. Box 461195
Leeds, UT 84746

Signature of Applicant  Date 8-13-15
Signature or Consent of Owner  Date 8-13-15

APPLICANT AFFIDAVIT

I, **William Rainey and Linda Rowley**, do hereby say that I am the owner/agent of the subject property of this application. The statements, information, exhibits and any and all plans herein or attached or submitted present the intentions of the applicant and are in all respects true and correct to the best of my knowledge and belief. I do hereby agree to pay all adopted and customary fees of the Town of Leeds relating to this application.

 Date 8-13-15
Owner/Agent

Applications must be presented to the Planning Commission and a Public Hearing must be held before submitting to the Town Council. The Planning commission meets at 7:00 p.m. on the first Wednesday of each month.

Application is hereby made for a zone change/amendment to the Leeds Zoning Map

Town of Leeds
218 North Main Street
Leeds, Utah 84746

Attention: Planning Commission

We have been directed by Mayor Wayne Peterson and Kristi Barker, the town Clerk/Recorder to prepare a letter of explanation for our requesting a zone change. While the zone change application will provide most of the technical information, it may be helpful for you to have a narrative describing the efforts we have gone through in order to stay in compliance with both the intent and spirit of the zoning ordinance.

The property in question is located at 730 North Main and has been the residence of the Leany family for the past 18 years. In January of 2015, Kyle Leany entered into an agreement to purchase the home from William Rainey and Linda Rowley as joint tenants. Working with our Realtor, Kent Sundberg we began our due diligence to insure that the property would meet our requirements. The following chronology will certainly demonstrate our intent to be open and above board.


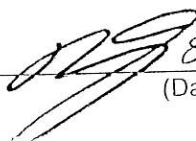
1. The real estate listing showed the property to be zoned commercial although it was apparent that the home and adjacent properties were all residential in nature.
2. Kent met with Kristi and Bob and was told that the residential use had been "grandfathered" and after the Mayor was brought into the discussion, a letter of clarification was provided for our lender on January 28th (See attached letter). This letter satisfied our prospective mortgage lender with respect to any concerns that they may have with a non-conforming use.
3. After receiving the lender's approval, Kent met again with Kristi and Bob to determine just what a "grandfathered" "non conforming use" would allow. We specifically wanted to add additional bedrooms and a garage/shop area. Kent was told that we would have to meet with the City Building Inspector to get the authoritative decisions for exactly what would be permissible.
4. On February 26, 2015, Kent met at the home with Dennis Mertlich who came to the property armed with his vast knowledge and a complete copy of the Town of Leeds Land Use Ordinance. Dennis was very helpful and spent the time necessary to cover the various options we were considering. We specifically discussed:
 - a. Adding additional bedrooms to the existing home.
 - b. Adding a garage or carport to the existing home.
 - c. Building a detached garage/RV shop and casita.
 - d. Side lot and rear lot set-backs.
 - e. Possible septic tank limitations for a detached casita and/or shop.

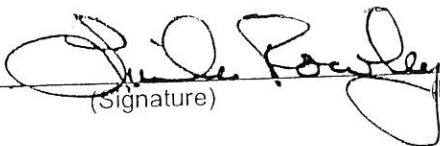
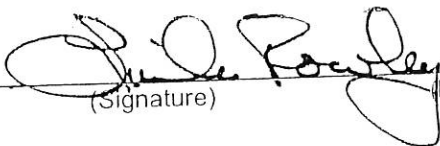
5. Based on our very positive interaction with the Town and Building Inspector and feeling comfortable with the completely independent inspection and certification required by our mortgage lender, we closed on our purchase of the home on May 6, 2015.
6. On July 8, 2015 we applied for a building permit for the addition of two bedrooms attached to the existing home. Upon submitting our plans, we were told that we were not in compliance if we planned to add the two bedrooms utilizing manufactured construction, even though our home was originally built as a manufactured home. In an attempt to comply with what was obviously a changing standard, we had our plans re-drawn using conventional construction techniques. Our application was then denied because the current zoning did not allow any additions to the existing structure.
7. Our agent, Kent Sundberg then met with Mayor Peterson to discuss our dilemma. He was told that apparently the building inspector had exceeded his authority in advising us that we could add additional rooms to the home. To his credit, the Mayor explored possible solutions to our problem and after several conversations with the town attorney, he advised us to seek a zoning change which would return the property to residential. We have attached the Mayor's letter to this application.

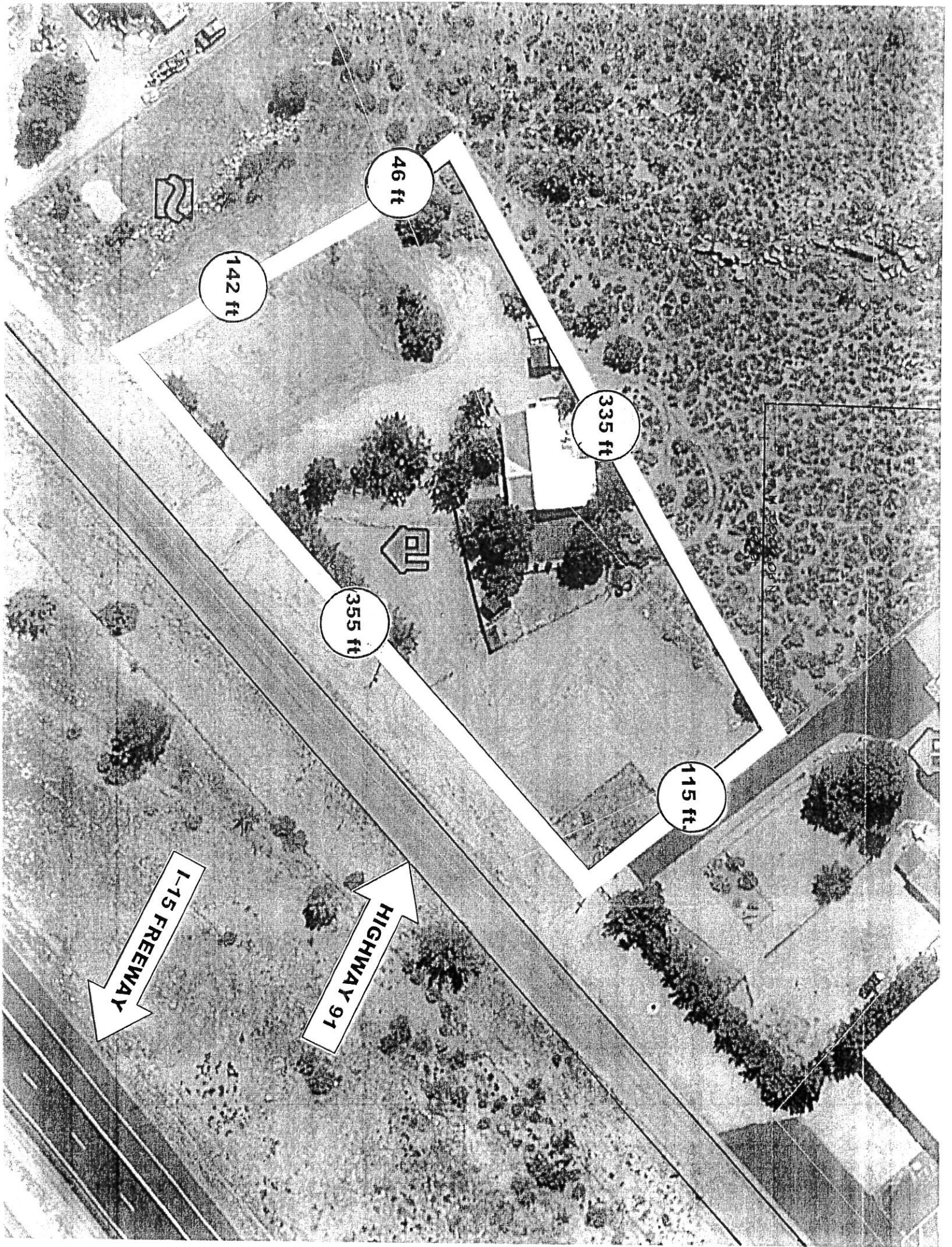
Please understand that we appreciate the difficulties inherent in the failure to enforce the letter of the law when it comes to a town's master plan. We also respect and very much appreciate the advice we were given by the Building Inspector and the direct involvement of Mayor Peterson. On the other hand, we have also been acting in good faith throughout our purchase and planning efforts to improve this property we have grown to love.

We are looking forward to a long and productive association with the community and hope we can complete this zoning accommodation expeditiously. We have lost some of the best building time for concrete work but should still be able to complete the project before winter sets in.

sincerely,


(Signature) 
(Date) 8-13-15


(Signature) 
(Date) 8-13-15



Property Record Card

Washington County

**RAINEY WILLIAM
ROWLEY LINDA**

730 N MAIN ST
LEEDS, UT 84746

Account: 0602857

Tax Area: 06 - Leeds Town

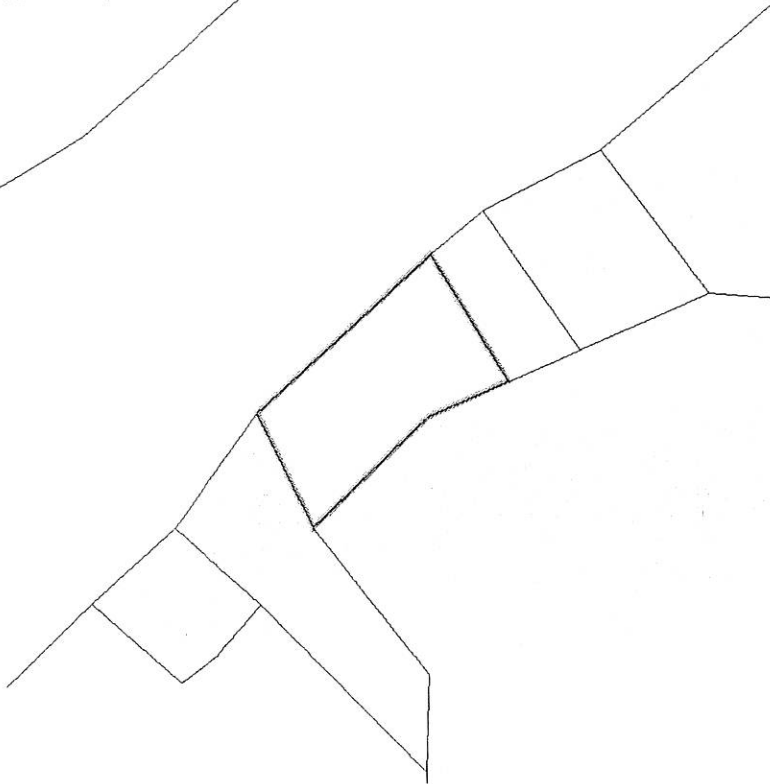
Acres: 1.180

Parcel: L-3-B-1

Situs Address:
730 N MAIN ST
LEEDS, 847460000

Legal Description

S: 5 T: 41S R: 13W BEG N01*17'44E 419.91 FT ALG SEC/L & W 167.83 FT FM SW COR SEC 5 T41S R13W SLM TH N39*10'W 114.62 FT TO PT BEING ON SLYR/W LN HWY 91 & TH N47*42'47E 355.29 FT ALG R/W; TH S29*43'27E 142.47 FT; TH S38*10'06E 46.29 FT TO PT FENCE LN; TH S59*55'07W 334.78 FT ALG FENCE LN PT BEING POB



Transfer History

Entry Number	Date Recorded	Deed Type
20150007966	Mar 12, 2015	Quit Claim Deed
20150007967	Mar 12, 2015	Quit Claim Deed
20150007968	Mar 12, 2015	Warranty Deed
20150007971	Mar 12, 2015	Affidavit
20100001320	Jan 14, 2010	Quit Claim Deed
20060044771	Sep 27, 2006	Quit Claim Deed
00834447	Aug 11, 2003	Quit Claim Deed
00622289	Oct 27, 1998	Warranty Deed

Abstract Summary

Code	Classification	Market Value	Taxable Value
01A	RES REAL ESTATE-IMPROVED	\$50,000	\$27,500
02B	RES REAL ESTATE-UNIMP NON-PRIM	\$1,100	\$1,100
11C	MOBILE HOMES - PRIMARY	\$46,800	\$25,740
Total		\$97,900	\$54,340

Warranty Deed Page 1 of 1
 Russell Shirts Washington County Recorder
 03/12/2015 12:55:07 PM Fee \$10.00 By
 SKYVIEW TITLE INSURANCE AGENCY

Mail Tax Notice To:

Grantee

230 N. Main Street
 Leeds, UT 84746
 File No. 14-2167W

WARRANTY DEED

KYLE V. LEANY, grantor of Leeds, County of Washington, State of Utah, hereby CONVEYS AND WARRANTS to

WILLIAM RAINEY, a single man and LINDA ROWLEY, a single woman as joint tenants

grantee of Leeds, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS the following described tract of land in Washington County, State of Utah:

Beginning at a point which lies North 1° 17' 44" East 419.91 feet along the Section Line and West 167.83 feet from the Southwest Corner of Section 9, Township 41 South, Range 13 West, Salt Lake Base and Meridian, thence North 39° 10' 00" West 114.62 feet to a point being on the Southerly right of way line of Highway 91 running thence North 47° 42' 47" East 355.29 feet along said right of way, thence South 29° 43' 27" East 142.47 feet, thence South 38° 10' 06" East 46.29 feet to a point on an existing fence line, thence South 59° 55' 07" West 334.78 feet along an existing fence line, said point being the point of beginning.

Situate in Washington County, State of Utah.

(For reference purposes only: Tax Parcel No. L-3-B-1)

Subject to easements, restrictions and rights-of-way currently of record and general property taxes for the year 2015 and thereafter.

WITNESS the hand of said grantor this 6th day of March, 2015

KYLE V. LEANY

STATE OF UTAH

COUNTY OF WASHINGTON

On the 6th day of March, 2015, personally appeared before me KYLE V. LEANY, the signer(s) of the above instrument, who duly acknowledged to me that he executed the same.



Notary Public
 KENT SUNDBERG
 Submission Number 853285
 My Commission Expires
 April 19, 2016
 State of Utah

Notary Public
 My Commission Expires:
 Residing at: ,

KENT SUNDBERG

From: <deputyclerk@leedstown.org>
To: <sundberg@infowest.com>
Sent: Wednesday, January 28, 2015 1:01 PM
Subject: Leany Property in Leeds
Kent,

The residence on parcel L-3-B-1 is a nonconforming use. Please see Chapter 5 of the Land Use Ordinance 2008-04 in Chapter 5, Section 5.5. It addresses the right to rebuild a nonconforming use which is damaged by a variety of disasters.

5.5. RESTORATION OF DAMAGED BUILDINGS.

A nonconforming building or structure or a building or structure occupied by a nonconforming use which is damaged by fire, flood, wind, earthquake or other calamity or Act of God, or the public enemy, may be restored and the occupancy or use of such building, structure, or part thereof, which existed at the time of such damage may be continued or resumed, provided that such restoration is started within a period of one (1) year and is diligently pursued to completion.

Please let me know if this satisfactorily answers the question raised.

Kristi Barker
Deputy Clerk/Recorder

218 North Main Street
P.O. Box 460879
Leeds, Utah 84746
435.879.2447

Email: deputyclerk@leedstown.org

**CONFIDENTIAL**

This communication, including any attachment, constitutes an electronic communication within the meaning of the Electronic Communications Act, 18 USC 2510, and its disclosure is strictly limited to the recipient intended by the sender of this message. This communication may contain confidential and privileged material for the sole use of the intended recipient and receipt by anyone other than the intended recipient does not constitute loss of the confidential or privileged nature of the communication. Any review or distribution by others is strictly prohibited. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. Similar laws in other countries where any recipient of this e-mail resides also apply. If you have received this electronic mail in error, please immediately notify this office by calling the sender of this message at (435) 879-2447.

1/28/2015

KENT SUNDBERG

From: <mayor@leedstown.org>
To: <sundberg@infowest.com>
Cc: "Deputyclerk" <deputyclerk@leedstown.org>
Sent: Wednesday, July 29, 2015 11:34 PM
Subject: Zone Change Timetable
Kent -

The critical path for rezoning Parcel L-3-B-1 would be as follows:

- 1) Submit a completed zone change application. The \$1,000 flat fee will be waived, with only the \$50 per acre fee applying to this nonconforming property.
- 2) Letters will need to be mailed to all landowners within 300 feet of the parcel. Kristi will be back in the office on Monday and will be able to help identify the list of needed recipients.
- 3) At least 10 days notice must be provided by the Town of Leeds that a public hearing will take place at a Planning Commission meeting. The planning commission meets on the first Wednesday of the month, so this could be completed in time for the Wednesday, September 2 meeting.
- 4) The Town Council will take action at its meeting after the Planning Commission holds the public hearing and forwards its recommendation to the Town Council. The Town Council meets the second and fourth Wednesdays of each month, so this action could be taken at the Wednesday, September 9 meeting.

Please let me know if you have any questions.

Best Regards,

Wayne

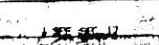
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WASHINGTON COUNTY, UTAH

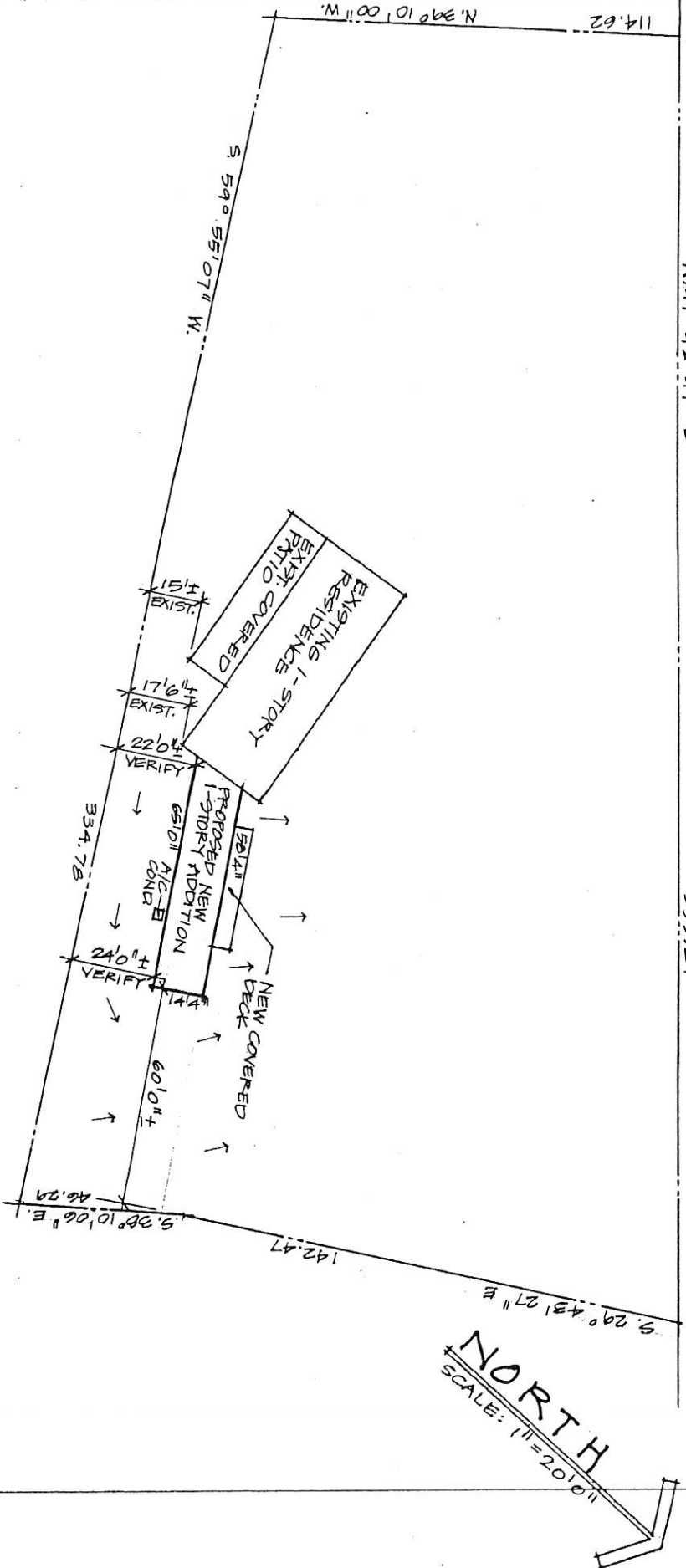
RECORDED:



STATE HIGHWAY 91

N. 47° 42' 47" E

355.29



SITE PLAN

LEGAL DESCRIPTION:

S. 37.41S R. 13W REG NO. 1774E 419.91 FT ALG SEC. 1, 161.83 FT FM SW COR SEC. 5 T. 41S R. 13W S. 1/4 TH N39° 10' W 114.62 FT TO PT BEING ON S. 1/4 W. 1/4 HWY 91 & TH N47° 42' 27" E 355.29 FT ALG R/W; TH S29° 43' 27" E 142.47 FT; TH S38° 10' 06" E 46.29 FT TO PT FENCE LN; TH S59° 55' 07" W 334.78 FT ALG FENCE LN PT BEING POB

OWNER:

WILLIAM DAINERY
LINDA ROWLEY

ACCOUNT:

0600857

Tax Area: 06 - Leeds town, Acres: 1.180

PARCEL:

L-3-B-1

SITE ADDRESS:

7700 North Maple Street
Leeds, Utah 84746

SITE PLAN NOTES:

1. Verify all existing and proposed building setbacks dimensions prior to commencing construction
2. Arrows denote drainage pattern at new construction. Verify all existing conditions prior to commencing construction.
3. New addition to be constructed on left side of existing residence on existing pad



TOWN OF LEEDS

Planning Commission Meeting

PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will occur at the
Planning Commission Meeting on
Wednesday, September 2, 2015 at 7:00 p.m.
At the Leeds Town Hall 218 North Main Street, Leeds, Utah.

The Leeds Planning Commission will hold a public hearing on the above-mentioned date to consider the following proposed items:

- A. Zone Change for Parcel L-3-B-1 for William Rainey and Linda Rowley from Commercial (C) to Rural Residential (R-R-1)

Copies of the proposed Zone Change Plat will be available for review at the Leeds Town Hall during regular business hours (9:00 a.m. to 4:00 p.m. Monday – Thursday)

Interested persons are encouraged to attend the public hearing to be held in the Leeds Town Hall at 218 North Main Street, or present their views in writing to the Leeds Town Clerk/Recorder prior to the meeting.

Certificate of Posting

The undersigned Deputy Clerk/Recorder does hereby certify that the above notice was posted August 18, 2015. The public places being at Leeds Town Hall, Leeds Post Office, the Utah Public Meeting Notice website <http://pmn.utah.gov>, the Town of Leeds Website www.leedstown.org, also published in the Spectrum Newspaper.

Kristi Barker
Deputy Clerk/Recorder



TOWN OF LEEDS

218 NORTH MAIN STREET
PO BOX 460879
LEEDS, UT 84746-0879
PHONE: 435-879-2447 FAX: 435-879-6905
E-mail: clerk@leedstown.org // Website: www.leedstown.org

August 17, 2015

Dear Property Owner,

The Town of Leeds is hereby notifying all property owners within 300 feet of a Zone Change request by William Rainey and Linda Rowley, property owner of 1.18 acre parcel of land with the Tax Parcel Number of L-3-B-1, located at 730 North Main Street, Leeds, Utah 84746.

The request is to change current zoning of Commercial (C) to Rural Residential 1 Acre (R-R-1)

The Town of Leeds Planning Commission will hold the public hearing on Wednesday, September 2, 2015 at 7:00 p.m. The public hearing will be held to receive public comments relative to the Zone Change Request.

The proposed Zone Change Plat is available at Town Hall, 218 North Main Street, and can be reviewed during regular business hours 9:00am – 4:00pm on Monday thru Thursday.

Please call Town Hall if you have any questions.

This is a public meeting and you are welcome to attend.

Respectfully,

Kristi Barker
Deputy Clerk/Recorder



TOWN OF LEEDS

218 NORTH MAIN STREET
PO BOX 460879
LEEDS, UT 84746-0879
PHONE: 435-879-2447 FAX: 435-879-6905
E-mail: clerk@leedstown.org // Website: www.leedstown.org

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Respectfully,

Kristi Barker
Deputy Clerk/Recorder